

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 756 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
2 to 5 No

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LAXMIKANT BHAGUBHAI SHETH

Versus

STATE OF GUJARAT

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Appearance:

MR AD SHAH for Petitioners

MR. K.T. DAVE, APP for Respondent No. 1

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CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 05/03/98

ORAL JUDGEMENT

1. Heard learned Advocate Mr. A.D. Shah for petitioners. Rule. Learned APP Mr. K.T. Dave waives service of Rule. By consent of the learned advocates appearing for the parties, the matter is finally heard today.

2. The petitioners have prayed for Anticipatory Bail

showing apprehension that they are likely to be arrested in respect to Crime Register No. I-63/1998 registered at Amraiwadi Police Station, Ahmedabad, for the offences made punishable under Sections 143, 147, 148, 149, 448, 395, 427, 323, 341, 294(A), 504 and 506(2) of the I.P.C. and also under Section 135(1) of the Bombay Police Act.

3. The parties have not pressed for reasoned order.

4. Having regard to the facts and circumstances apparent from the material produced on record, in the context of submission made by learned advocates, it is ordered that in the event of arrest of the petitioners, the petitioners be released on bail on execution of a bond of Rs. 5,000/- each (Rupees Five thousand only) and furnishing two sureties each for like amount and on compliance of following terms and conditions.

(i) remain present before the Court of inquiry or trial court regularly as and when directed on dates fixed.

(ii) make himself available for interrogation by a Police Officer, whenever and wherever required.

(iii) not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.

(iv) at the time of execution of bond, furnish his address/s to the Investigating Officer and the courts and if there is any change, the same shall be intimated to the concerned Police Station and the Courts.

(v) not leave India without the permission of the Court. If the Investigating Officer directs to deposit the passport, the said direction shall be complied with unless the competent court directs otherwise.

4. This order will hold good if the petitioners are arrested at any time within 90 days from today. The order for release on bail will remain operative only for a period of Ten days from the date of his arrest. Thereafter, it will be open to the petitioners to make a fresh application for being enlarged on bail in usual

course which when it comes before the competent court, will be disposed of in accordance with law, having regard to all the attending circumstances and the materials available at the relevant time uninfluenced by the fact that ANTICIPATORY BAIL was granted.

5. Rule is made absolute. Direct service is permitted.

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p.n.nair